

<p>1 IN THE FIFTEENTH JUDICIAL CIRCUIT COURT 2 IN AND FOR PALM BEACH COUNTY, FLORIDA 3 CASE NO.: 502006CA002638MBAD 4 SOUTHERN CONSTRUCTION SERVICES, 5 INC., a Florida corporation, 6 Plaintiff/Counterdefendant, 7 v. 8 TIARA CONDOMINIUM ASSOCIATION, INC., 9 a Florida not-for-profit corporation, 10 et al., 11 Defendants/Counterclaimant/ 12 Third-Party Plaintiff, 13 v. 14 DOMINGO CASTRO, THALLYGEE CASTRO, 15 SLIDER ENGINEERING GROUP, INC., and 16 BTEX ENGINEERING, INC., 17 Third-Party Defendants. 18 19 VIDEOTAPED DEPOSITION OF THE WITNESS, 20 LOUIS BRINDISI, 21 TAKEN BY THE PLAINTIFF/COUNTERDEFENDANTS 22 ON FRIDAY, JANUARY 4, 2008 23 24 25</p>	<p>1 SLAWSON CUNNINGHAM 2 WHALEN & GASPARI 3 2401 PGA Boulevard, Suite 140 4 Palm Beach Gardens, Florida 33410 5 Phone: (561)625-6260 6 ATTORNEYS FOR THE NON-PARTY ULMER 7 BY: DAVID M. GASPARI, ESQUIRE 8 9 ALSO PRESENT: Sophie Carter, Video Specialist 10 Domingo Castro 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>
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PINNACLE REPORTING, INC.
561-820-9066

EXHIBIT

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2 (Pages 5 to 8)

<p>1 homeowners.</p> <p>2 MR. NURENBERG: Steven Nurenberg for Tiara</p> <p>3 Condominium Association.</p> <p>4 MR. GASPARI: David Gaspari for Ulmer</p> <p>5 Construction.</p> <p>6 MR. HOPKINS: Christopher Hopkins for Slider</p> <p>7 Engineering.</p> <p>8 MR. DEMING: Eric Deming for BTEX.</p> <p>9 THE VIDEOGRAPHER: Would the witness please</p> <p>10 raise your right hand to be sworn?</p> <p>11 THEREUPON,</p> <p>12 LOUIS BRINDISI,</p> <p>13 AFTER HAVING BEEN FIRST SWORN BY ME TO TELL THE WHOLE</p> <p>14 TRUTH AS HEREINAFTER CERTIFIED, TESTIFIES AS FOLLOWS:</p> <p>15 DIRECT EXAMINATION</p> <p>16 BY MR. TELEPMAN:</p> <p>17 Q Please give your full name and home address,</p> <p>18 please.</p> <p>19 A Louis Thomas Brindisi. You'll have to excuse</p> <p>20 me, I have a little bit of a sinus condition. 1003</p> <p>21 Parkway East, Utica, New York.</p> <p>22 Q You're an attorney at law by profession?</p> <p>23 A Yes.</p> <p>24 Q And you've been deposed before?</p> <p>25 A Yes.</p>	<p>5</p> <p>7</p> <p>1 Q All right, sir. Do you still actively</p> <p>2 practice law in the State of New York?</p> <p>3 A Yes.</p> <p>4 Q What is the main subject of your practice?</p> <p>5 A Serious personal injury and wrongful death</p> <p>6 cases.</p> <p>7 Q Plaintiff's work?</p> <p>8 A Plaintiffs.</p> <p>9 Q Has that been the focus of your practice most</p> <p>10 of your career?</p> <p>11 A Yes.</p> <p>12 Q Have you ever represented a plaintiff or a</p> <p>13 defendant in a construction defect lawsuit?</p> <p>14 MR. NOVELLO: Form of the question objection.</p> <p>15 THE WITNESS: Yes.</p> <p>16 BY MR. TELEPMAN:</p> <p>17 Q How many times?</p> <p>18 A Numerous.</p> <p>19 Q Plaintiff, defendant, or both?</p> <p>20 A Plaintiff. In New York we have what we call</p> <p>21 the Labor Law. If you're injured on the job or</p> <p>22 something of that nature, you can bring direct action</p> <p>23 against the employer and against the contractor, and</p> <p>24 those types of actions.</p> <p>25 Q So your involvement as a lawyer in</p>
<p>6</p> <p>1 Q So you understand the rules of taking a</p> <p>2 deposition both as an attorney and as a witness?</p> <p>3 A Yes.</p> <p>4 Q I won't waste any time, then, by going</p> <p>5 through the rules. But if you have any questions as we</p> <p>6 proceed, please feel free to interrupt.</p> <p>7 Where are you licensed to practice law?</p> <p>8 A New York and Florida.</p> <p>9 Q How long have you been licensed to practice</p> <p>10 law in New York?</p> <p>11 A Since 1960.</p> <p>12 Q How long have you been licensed to practice</p> <p>13 law in the State of Florida?</p> <p>14 A I was thinking about that. I think it was</p> <p>15 19 - '78 rings out in my mind, but I'm not positive.</p> <p>16 Q That's okay, sir.</p> <p>17 Have you ever actively practiced law in the</p> <p>18 State of Florida?</p> <p>19 A No.</p> <p>20 Q For what purpose did you obtain a license to</p> <p>21 practice law in the State of Florida?</p> <p>22 A I thought about practicing in the State of</p> <p>23 Florida.</p> <p>24 Q Just never got around to it?</p> <p>25 A Just never got around to it.</p>	<p>8</p> <p>1 construction-related cases has been primarily limited</p> <p>2 to cases on behalf of injured workers?</p> <p>3 A Yes.</p> <p>4 Q Not so much representing contractors versus</p> <p>5 owners?</p> <p>6 A No.</p> <p>7 Q Have you ever been involved in a case</p> <p>8 representing a contractor versus an owner or vice</p> <p>9 versa?</p> <p>10 MR. NOVELLO: Objection. Form.</p> <p>11 THE WITNESS: I'm sure I have over the years.</p> <p>12 BY MR. TELEPMAN:</p> <p>13 Q Can you give us one example?</p> <p>14 A I cannot.</p> <p>15 Q All right. You're presently an owner of</p> <p>16 multiple units at the Tiara Condominium?</p> <p>17 A Yes.</p> <p>18 Q When did you first purchase a unit in the</p> <p>19 Tiara Condominium? Approximately.</p> <p>20 A 1978.</p> <p>21 Q So is it fair to say that you have</p> <p>22 continuously been a unit owner at the Tiara since</p> <p>23 approximately 1978?</p> <p>24 A Yes.</p> <p>25 Q When did you obtain your second unit at the</p>